

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

H SHEFF B SHEFF-MEISELMAN K  
SHEFF DAVID SHEFF FAMILY TRUST  
U/A DTD 09/06/2016,  
derivatively on behalf of  
GOPRO, INC.,

Plaintiff,

v.

NICHOLAS D. WOODMAN, BRIAN  
MCGEE, ANTHONY BATES, KENNETH  
GOLDMAN, PETER GOTCHER,  
ALEXANDER LURIE, MICHAEL MARKS  
and EDWARD GILHULY,

Defendants,

and

GOPRO, INC.,

Nominal Defendant.

Case No. 17-cv-06504-CW

ORDER OF DISMISSAL WITHOUT  
PREJUDICE

(Dkt. No. 4, 27, 33)

On February 22, 2018, Plaintiff filed a notice of voluntary dismissal without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i). This is a shareholder derivative action. Pursuant to Federal Rules of Civil Procedure 23.1(c) and 41(a)(1)(A), it may not be voluntarily dismissed without the Court's approval.

The Court construes Plaintiff's notice of voluntary dismissal as a motion for dismissal without prejudice. So construed, the motion (Docket No. 33) is GRANTED in light of the early stage of this litigation and the issues raised in Defendants' pending motion to dismiss on forum non conveniens and ripeness grounds. This action is hereby DISMISSED WITHOUT

1 PREJUDICE.

2 The Court DENIES AS MOOT Plaintiff's motion to seal (Docket  
3 No. 4), see Civil L.R. 79-5(f)(2), and Defendants' motion to  
4 dismiss (Docket No. 27).

5 IT IS SO ORDERED.

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7 Dated: February 23, 2018



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CLAUDIA WILKEN  
United States District Judge